

ARTICLE APPEARED
ON PAGE 7

EDITOR & PUBLISHER
18 FEBRUARY 1978

Publisher may file suit to block Star sale

Controversial publisher Larry Flynt has notified Time, Inc. that he plans to file suit "under the relevant Federal Anti-Trust statutes" for an injunction prohibiting that company's acquisition of the *Washington* (D.C.) *Star*.

In a letter to Time, Inc. board chairman Andrew Heiskell, Flynt said the acquisition "would forge another link in the news monopoly represented by Time, Inc."

Flynt is the founder of *Hustler* and *Chic* Magazines, who recently acquired weekly newspapers in Plains and Atlanta, Georgia and Los Angeles. He is currently appealing a 25-year prison sentence and an \$11,000 fine in Ohio for pandering, obscenity and engaging in organized crime in connection with *Hustler* magazine.

A spokesman for Time, Inc. said no court papers had yet been received and added that the charge made by Flynt has, according to Time's corporate counsel, "no legal substance whatsoever."

An official of the Antitrust Division of the U.S. Department of Justice said, however, that his department was taking a preliminary look into the sale. The official said a problem could possibly arise over the combined share of advertising business of Time, Inc. and the *Washington Star* in that market.

"We know Time Magazine sells advertising against the *Washington Star*," the official said. "We would first have to construct a universe to see which advertising vehicles make up the market and then determine what share Time and the *Washington Star* would come out with."

He said the Supreme Court has ruled "on rare occasion" that a 5.5% share of advertising in a market constitutes a monopoly. He said normally, however, the share would have to be over 10% before the Justice Department took the matter to court.

In his letter to Heiskell, Flynt also levels a charge that Time Magazine concealed evidence and falsified the record

"regarding the facts surrounding the assassination of President John F. Kennedy."

Flynt said the CIA considers Time to be "one of its major media assets" and added "you (Time) have presented only the Intelligence Agency view of the assassination even though only 11% of the American people share your theory that Lee Harvey Oswald, acting alone, assassinated President Kennedy."

Flynt added that by Time's actions of purchasing the Abraham Zapruder film of the assassination and "suppressing the evidence for more than a decade," the company and its officers come "dangerously close to becoming accessories after the fact in the murder of the President."